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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,420	02/02/2001	R. Steven Schultz	01153.0001U3	4087
23859 7590 09/19/2008 Ballard Spahr Andrews & Ingersoll, LLP SUITE 1000 999 PEACHTREE STREET ATLANTA, GA 30309-3915				
EXAMINER FELTEN, DANIEL S				
ART UNIT		PAPER NUMBER		
3696				
MAIL DATE		DELIVERY MODE		
09/19/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/776,420

Applicant(s)

SCHULTZ ET AL.

Examiner

DANIEL S. FELTEN

Art Unit

3696

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 60-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 60-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No./Mail Date: _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 60-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson et al (US 5,915,022) in view of Tognazzini (US 5,739,512)

Robinson discloses a method for generating electronic receipts, comprising (see Robinson, Abstract, column 1, lines 7-11):

-- conducting a sales transaction between a buyer and a seller relating to a product (see Robinson, column 2, lines 32-57; and column 3, lines 31-34);

--capturing transaction information regarding the sales transaction (see column 2, lines 50—57; fig. 6a column 5, line 53 to column 6, line 5);

-- transmitting over a first network the captured transaction information regarding the sales transaction (see column 5, line 53 to column 6, line 5);

-- using the captured transaction information to determine an accessory for the product (see column 2, lines 50-57; fig. 6a column 5, line 53 to column 6, line 5);

-- generating by the receipt generator a sales receipt object that comprises transaction information from the sales transaction, a hyperlink to the determined accessory for the product, and one or more functions for the transaction information;

--transmitting over a second network the sales receipt object to a network accessible computing device (see column 5, lines 53 to column 6, line 5);

--executing a retrieve function of the sales receipt object to retrieve selected transaction information from the sales receipt object (see column 8, lines 45-57);

--displaying the selected retrieved transaction information on a user interface of the computing device;

--executing a conversion function of the sales receipt object to convert the transaction information into a selected data format (see column 8, lines 45-57);

--displaying the hyperlink to the determined accessory for the product on the user interface of the computing device; and

--activating the hyperlink to the determined accessory for the product on the user interface of the computing device.

Robinson fails to disclose a receipt generator. Tognazzini discloses a electronic generator. The central computer is configured to send an electronic receipt containing information about a purchase transaction to a customer at a respective electronic mail address of the customer (see column 3, lines 28-38). Since Robinson discloses that a an electric receipt is received from a merchant server, it would have been obvious for one of ordinary skill in the art to employ the receipt generator of Tognazini to allow the customer to automatically receive and display the receipt via the email and/or Internet after making a purchase. Thus such a modification would

allow the customer to remotely receive a receipt which is conventional in the purchase of goods and serves, and thus would be what be an obvious extension to the teachings of Robinson as well as what one would expect within the ordinary skill in the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL S. FELTEN whose telephone number is (571)272-6742. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel S Felten
Primary Examiner
Art Unit 3696

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